SINGLE BENCH F/00/ (1)

03

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)

WRIT PETITION NO. 3918/2005

PETITIONER

R.K. Gautam, son of Shri Brijkishore Gautam, aged about 50 years, resident of Shanti Nagar, Bilaspur (Chhattisgarh)

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through – the Director, Indian Medicine System and Homeopathy, Raipur (Chhattisgarh)

2. The District Ayurved Officer, Bilaspur, Distt. Bilaspur (CG)

P.R. No. 2662/05 Presented by Shri Dhar dated 27/6/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P.3218 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3.8.2005

Shri Alok Bakshi, counsel for the petitioner.

Shri Bhaskar Pyasi, Panel Lawyer for the State/respondents on advance copy.

I.A.No.6230/2005

This is an application for urgent hearing. The matter is taken up on Board.

This interim application stands disposed of.

W.P.No.3218

Heard.

Learned counsel for the petitioner submits that the petitioner is working on the post of Unani Chikitsa Adhikari at Bilaspur. He submits that he is working on the said post since 1984 but his services have not been regularized so far. He refers to the document, Annexure P-5 which is a letter dated 3.8.2002 written by the Directorate of Indian Medicine Association (Homeopathic), District-Raipur to the Superintendent(Assistant), District Ayurvedic Officer, Bilaspur calling upon some querries in relation to the petitioner for the purpose of his regularization.

Learned counsel for the petitioner further refers to the document, Annexure P-6 which is a memo dated 2.9.2002 and the same has been written by the District Ayurvedic Officer, Bilaspur to the Director, referred to above in response to the querries called upon by the Directorate. He takes me to the document Annexure P-6, points No.1,2,3,4,5 & 6 of the aforesaid querries, and submits

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मामला क्रमांक W.P. 3218 सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

that all the reports called by the department were replied in favour of the petitioner and there appears to be no adverse report against the petitioner on the basis of which, the regularization of the petitioner can be obstructed.

In view of this matter, learned counsel for the petitioner submits that even after receiving of these documents from the local office of the department, the matter of regularization of the service of the petitioner has not been finalized by the State.

Learned counsel for the petitioner further refers to many representations filed by the petitioner to the concerned authority and submits that none of the representations have been decided by the concerned authority and the service of the petitioner has not been regularized so far.

I have gone through the records of the writ petition and have also heard the arguments advanced by the learned counsel for the petitioner and the State counsel. It appears to me that a process of regularization was initiated by the State in the year 2002 but they have not taken final decision in the matter so far.

In the facts and circumstances of the case, I do hereby direct that the petitioner if so advised may file a detailed representation along with a copy of this order and a copy of the writ petition before the concerned authority within a period of 15 days from today and if such a representation is filed, the concerned authority shall examine the same and if the matter of regularization of the petitioner has not been finalized so far then the concerned

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	authority will take a decision on the representation filed by the petitioner within a period of 3 months from the date of filing of the representation. If any decision has already been taken and the same has not been brought to the notice of the petitioner, then the concerned authority shall apprise the petitioner with the decision taken by the Government. With the aforesaid observations, the petition stands finally disposed of. Sd/- Sunil Kumar Sinha Judge	

/Sumita/

(पीछे देखिये)